

Serial No. 10/017,249

7

PD-201007

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated September 24, 2004, Claims 1-20 are pending in the application. The allowability of Claims 5-12 and 16-20 is noted. Applicants respectfully request the Examiner to reconsider the rejection of Claims 1-4 and 13-15 in view of the amendments above.

Claims 1-2, 4 and 13-15 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Monte* (5,664,006).

Claim 1 has been amended to recite that the system applies to stratospheric platforms rather than just "platforms." Also, line 9 has been amended to refer to stratospheric platform beams. The Examiner cites Col. 10, lines 50-63, and Col. 12, lines 41-57, for teaching of polystatic triangulation and redirecting a beam in response to the triangulation. First, the *Monte* reference does not teach or suggest the use of a stratospheric platform. Second, the *Monte* reference does not teach or suggest the use of determining a polystatic triangulation position for the user terminal. Line 51 of Col. 12 mentions that user terminal location data gives the latitude of the user terminal. No teaching or suggestion is provided for polystatic triangulation. In fact, the *Monte* reference is silent as to how the position of the user terminal is determined. Both Claims 1 and 13 contain similar limitations to the use of stratospheric platforms and determining a polystatic triangulation position of the user terminal. Applicants therefore respectfully request the Examiner to reconsider the rejection of Claims 1 and 13. Likewise, Claims 2, 4 and 14-15 are also believed to be allowable for the same reasons set forth above.

Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Monte et al* in view of *David* (US Publication 2003/0158656). Applicants respectfully submit that the *Monte* reference has several deficiencies set forth above. The *David* reference does not teach or suggest the use of a stratospheric platform and polystatic

Serial No. 10/017,249

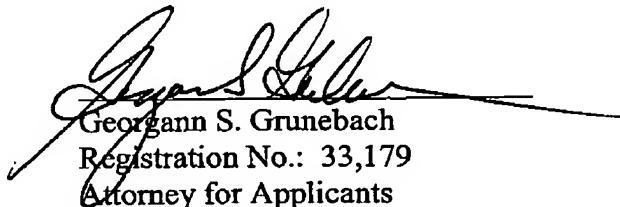
8

PD-201007

triangulation techniques. Applicants therefore respectfully request the Examiner to reconsider the rejection of Claim 3 as well.

In light of the above amendments and remarks, Applicants submit that all objections and rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Respectfully submitted,



Georgann S. Grunebach
Registration No.: 33,179
Attorney for Applicants

Dated: December 20, 2004

The DIRECTV Group, Inc.
RE / R11 / A109
P.O. Box 956
2250 East Imperial Highway
El Segundo, CA 90245
(310) 964-4615